

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

JP MORGAN CHASE BANK,  
NATIONAL ASSOCIATION AS TRUSTEE  
FOR THE MLMI SURF TRUSTS SERIES  
2005-BC2,

Plaintiff,

V.

GREG POLYDORE AND ALL OTHER  
OCCUPANTS OF 3444 FM 1461  
MCKINNEY, TX 75071

Defendants.

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CASE NO. 4:07CV485

**MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF THE**  
**UNITED STATES MAGISTRATE JUDGE**


Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On October 30, 2007, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Plaintiff's Motion for Remand (Dkt. 3) be GRANTED remanded to the County Court at Law #4, Collin County, Texas for further proceedings, and that Plaintiff be awarded \$800.00 in costs for Defendants' improper removal.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court. Therefore, Plaintiff's Motion to Remand (Dkt. 3) is GRANTED (Dkt. 3).

and this case is remanded to the County Court at Law #4, Collin County, Texas for further proceedings. Further, Plaintiff is awarded \$800.00 in costs for Defendants' improper removal.

**IT IS SO ORDERED.**

**SIGNED this 16th day of November, 2007.**

  
MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE